## REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 6-22, 27 and 31-43 are pending, with claims 1 and 22 amended by the present amendment. Claims 1 and 22 are independent.

In the Official Action, claims 1, 6-22, 27 and 31-43 were rejected under 35 U.S.C. § 103(a) in view of Otsuka (U.S. Patent Pub. No. 2003/0021593); Collart (U.S. Patent Pub. No. 2005/0044481) and Lamkin (U.S. Patent Pub. No. 2006/0117344).

Claims 1 and 22 are amended to more clearly describe and distinctly claims Applicants' invention. Support for this amendment is found in Applicant's originally filed specification. No new matter is added.

Briefly recapitulating, claim 1 is directed to

> A method for controlling a playback operation in a media player device, the method comprising:
>
> receiving a user input for selecting one of N operating states of the media player device, each of the N operating states including first and second coincident operational modes of the media player device, the first coincident operational mode including reproducing audio/video (A/V) data recorded on a recording medium according to one of X playback states, the ***second coincident operational mode including processing additional data recorded on the recording medium or provided from a remote content provider according to one of Y operation states, where N = X x Y, the additional data being associated with the A/V data***; and
>
> operating the media player device in the one of the N operating states in response to the user input,
>
> ***wherein the N operating states include at least a state of reproducing the A/V data from the recording medium in the first coincident operational mode together with displaying additional data in the second coincident operational mode in a synchronized state, and***

***wherein the N operating states are discriminatively defined on the basis of relations among operating modes.***

Independent claim 22 recites, *inter alia*, a controller configured to

receive a user input for selecting one of N operating states of the media player device, each of the N operating states including first and second coincident operational modes of the media player device, the first coincident operational mode including reproducing audio/video (A/V) data recorded on a recording medium according to one of X playback states, the ***second coincident operational mode including processing additional data recorded on the recording medium or provided from a remote content provider according to one of Y operation states, where N = X x Y, the additional data being associated with the A/V data,*** and

operate the media player device in the one of the N operating states in response to the user input, and

***wherein the N operating states include at least a state of reproducing the A/V data from the recording medium in the first coincident operational mode together with displaying additional data in the second coincident operational mode in a synchronized state, and***

***wherein the N operating states are discriminatively defined on the basis of relations among operating modes.***

As noted in Applicant's originally filed specification, "where the video data associated with the ENAV content data must be outputted and displayed in a synchronized state, a decoding operation for the ENAV content data is continuously performed. During the decoding process, the ENAV content data is not displayed. On the other hand, if the video data associated with the ENAV contents data does not need to be outputted and displayed in a synchronized state, the decoding operation for the ENAV contents data is not performed." Also, "For example, a user may temporarily stop the play operation for the video data or select a pause key for temporarily stopping the play operation for the ENAV content data, while a play operation for the video data and a play operation for the ENAV contents data are associated. In one embodiment, the data

items are reproduced and outputted in a synchronized state and the DVD engine performs a still operation for continuously outputting a frame picture being reproduced as a still picture. At this time, the ENAV engine continuously outputs the ENAV content data being reproduced and outputted as the still picture, or temporarily stops download and web-site search operations." Also, "As such, a method for controlling a playback operation in an interactive optical disc device, which can discriminatively define a plurality of operating states on the basis of relations among operating modes is provided. The present invention has been described above with reference to preferred embodiments. However, those skilled in the art will recognize that changes and modifications may be made in these preferred embodiments without departing from the scope of the present invention."

Otsuka describes an optical disc player 100 that can operate in at least two modes: a video playback mode and a user agent mode. In the video playback mode, the optical disc player 100 functions to access and display video content stored on the local optical disc 116, such as would a standard DVD player. In the video playback mode, the video menu displayed on a displaying device (e.g. television, computer monitor) is used to control the playback of the video content. In the user agent mode, the optical disc player is configured to run a user agent program (e.g. a browser) to allow a user to access website documents on a network or stored in the local optical disc 116, and perform various functions associated with the website document. In the user agent mode, the video content stored on the local optical disc 116 may be shown in a framed window within the user agent window. In the user agent mode, the user agent menu is used to control the playback of the video content.

However, as acknowledged by the Official Action, Otsuka does not disclose or suggest Applicants' claimed "second coincident operational mode including processing additional data

recorded on the recording medium or provided from a remote content provider according to one of Y operation states, where N = X x Y, the additional data being associated with the A/V data." To cure this deficiency, the Official Action applies Collart.

Collart describes a method of playing multimedia content that includes: reading, at a local machine, local multimedia content stored on a portable storage medium; and utilizing a control structure stored on a separate storage medium to alter the playback of the local multimedia content stored on the portable storage medium. FIG. 3 of Collart is a flow diagram that begins when a DVD 300 is inserted into the player 302. In operation (2), the user selects Tom Hanks 304 from Filmography DVD-Video menu 306. If there is no Internet connection and no local cached information, the DVD-Video Menu 308, which is authored into the original DVD 300, is displayed in operation (3). If local cached information 310 is available but no Internet connection is available, the local cached information 310 (in place of or along with DVD Menu 308) is displayed in operation (4). If an Internet connection is present and updated information 312 is available on a remote server 314, the updated information 312 is downloaded and cached into a local cache in operation (5). Also in operation (5), the updated information 312 (in place of or along with the DVD Menu 308) is displayed.

The Official Action asserts that actor name "Tom Hanks" referenced in the description of Fig. 3 of Collart is an example of Applicant's claimed additional data. Applicant traverses. However, to expedite progress toward allowance, Applicant's independent claims are amended to further clarify the invention. Accordingly, Collart (and Otsuka) does not disclose or suggest Applicant's claimed N operating states that include at least a state of reproducing the A/V data from the recording medium in the first coincident operational mode together with displaying

additional data in the second coincident operational mode in a synchronized state. Thus, for a first reason, Applicant's amended independent claims distinguish over the applied references.

Furthermore, Otsuka does not disclose or suggest Applicant's claimed plurality of operating states comprise at least one of N operating states based on said first and second operational modes, ***where N = X x Y***, where the first operational mode has X playback states associated with reproducing A/V data recorded on the recording medium, and the second operational mode has Y operation states associated with processing additional data recorded on the recording medium or provided by the remote content provider. Applicant's rationale follows:

Otuska relates to switching playback mode and user agent mode (Otsuka, Fig. 3, paragraphs 0041-0043). Paragraph [0043] of Otsuka describes "Then, in step 310, the processor 102 under the control of the program interpreter determines the operations mode of the optical disc player 100 specified in the mode variable. If the specified mode is video mode, in step 312 the processor 102 under the control of the program interpreter activates the video playback program which displays the appropriate video on the displaying device. If the specified mode is the user agent mode, in step 314 the processor 102 under the control of the program interpreter activates the user agent program which displays the appropriate HTML menu, and disables the video menu. In step 316, a user can use the HTML menu to perform web related function, such as retrieving a web document from a network coupled to the network interface 110 or a web document stored on the local optical disc 116."

However, Otsuka does not disclose or suggest two or more concurrent, let alone synchronized, modes of operation. Thus, Otsuka does not yield the N combinations of synchronized operating states. Collart does not cure the deficiencies of Otsuka. Thus, for a second reason, Applicant's amended independent claims distinguish over the applied references.

Finally, both Otsuka and Collart fail to disclose or suggest Applicant's claimed "N operating states are discriminatively defined on the basis of relations among operating modes." Thus, for a third reason, Applicant's amended independent claims distinguish over the applied references.

Applicant has considered Lamkin and submits that Lamkin does not cure the deficiencies noted above relative to Otsuka and Collart. As none of the cited art, individually or in combination, disclose or suggest at least the above-noted features of independent claims 1 and 22, Applicant submits the inventions defined by claims 1 and 22, and all claims depending therefrom, are not rendered obvious by the asserted references for at least the reasons stated above.

MPEP 2141 notes that prior art is not limited just to the references being applied, but includes the understanding of one of ordinary skill in the art. MPEP 2141 further notes that the prior art reference (or references when combined) need not teach or suggest all the claim limitations. However, an obviousness-type rejection must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art. MPEP 2141 goes on to list exemplary rationales that may support a conclusion of obviousness. However, Applicant submits that the Official Action and the applied references present no objective evidence that would support an obviousness-type rejection of Applicant's amended claims based on one of these exemplary rationales.

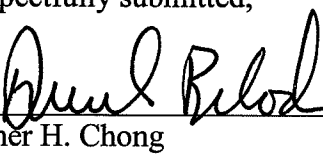
## CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael E. Monaco, Reg. No. 52,041, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.147; particularly, extension of time fees.

Dated: OCT 22 2010

Respectfully submitted,

By  DAVID A. BILODEAU
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